

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Core Distribution, Inc.,

Civil No. 15-1547 (DWF/BRT)

Plaintiff,

v.

Xtreme Power (USA) Inc.,

Defendant.

**ORDER GRANTING CORE'S
MOTION FOR DEFAULT
JUDGMENT**

The above entitled matter came before the undersigned on Plaintiff Core Distribution, Inc.'s Motion for Default Judgment. (Doc. No. 13.)

Based on Core's motion, the accompanying Memorandum in support, the supporting declarations and exhibits, the arguments of counsel, and good cause appearing therefor,

IT IS HEREBY ORDERED that:

1. Core's Motion for Default Judgment (Doc. No. [13]) is **GRANTED**.
2. Defendant Xtreme Power (USA) Inc. ("Xtreme") is liable for willful patent infringement, false advertising, and deceptive trade practices.
3. Xtreme and its officers, agents, servants, directors, employees, affiliated entities, and those persons in active concert or participation with any of them are

PERMANENTLY ENJOINED from:

- Further infringement of U.S. Patent No. 7,048,094 (the '094 patent);

- Continuing to import, manufacture, use, sell, or offer to sell the “XtremePowerUS Portable 12.5’ Aluminum Telescoping Extension Ladder” and any other ladders that infringe the ‘094 patent;
 - Directly or indirectly using in commerce or disseminating to the marketplace any materials, labels, promotional materials, advertising, or other goods containing any of the false or misleading statements described in Core’s Complaint, or any advertising or labeling which communicate similar false or misleading messages.
4. Xtreme shall pay Core \$438,000 in damages.
 5. Xtreme shall pay Core its attorney fees and costs incurred in this action, which are in the amount of \$20,452 in attorney fees and \$1030.04 in costs.
 6. Core is entitled to recover prejudgment interest at the Minnesota statutory rate from May 2014 until final judgment is entered.

Dated: July 13, 2015

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge